

**Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT**

*The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

In relation to this International Application:

DARPHARMA, INC. is entitled to apply for and be granted a patent by virtue of the following:

an assignment from

FERNANDES, Prabhavathi B.; MAILMAN, Richard Bernard; NICHOLS, David Earl; and POSTLETHWAIT, Robert Niel

to DARPHARMA, INC. dated 20 December 2004 (20.12.04); 20 December 2004 (20.12.04); 17 December 2004 (17.12.04); and 20 December 2004 (20.12.04), respectively.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

In relation to this International Application:

DARPHARMA, INC. is entitled to claim priority of earlier application

No. 60/532,248

by virtue of the following:

an assignment from

FERNANDES, Prabhavathi B.; MAILMAN, Richard Bernard; NICHOLS, David Earl; and  
POSTLETHWAIT, Robert Niel

to DARPHARMA, INC. dated 20 December 2004 (20.12.04); 20 December 2004  
(20.12.04); 17 December 2004 (17.12.04); and 20 December 2004 (20.12.04),  
respectively.

This declaration is made for the purposes of all designations, except the designation of  
the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

**Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)**  
 The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/ US2004/43145 ..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: FERNANDES, Prabhavathi B. ....

Residence: Chapel Hill, North Carolina, US .....  
 (city and either US state, if applicable, or country)

Mailing Address: 203 Old Franklin Road Drive .....  
 Chapel Hill, North Carolina 27514 .....

Citizenship: United States of America .....

Inventor's Signature: *Prabhavathi Fernandes* Date: Feb 8, 2005 .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Name: MAILMAN, Richard Bernard .....

Residence: Chapel Hill, North Carolina, US .....  
 (city and either US state, if applicable, or country)

Mailing Address: 2101 North Lakeshore Drive .....  
 Chapel Hill, North Carolina 27514 .....

Citizenship: United States of America .....

Inventor's Signature: *Richard Bernard Mailman* Date: January 25, 2005 .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

**Continuation of Box No. VIII (i) to (v) DECLARATION**

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

**CONTINUATION OF BOX NO. VIII (iv)**

Name: NICHOLS, David Earl

Residence: West Lafayette, Indiana, US

Mailing Address: 4740 North 225 West  
West Lafayette, IN 47906  
US

Citizenship: United States of America

Inventor's Signature: David Earl Nichols

Date: 31 - JAN - 2005

Day/Month/Year

Name: POSTLETHWAIT, Robert Niel

Residence: Zionsville, Indiana, US

Mailing Address: 7274 Hunt Club Lane  
Zionsville, IN 46077-9378  
US

Citizenship: United States of America

Inventor's Signature: Robert Niel

Date: 4 / 2 / 2005

Day/Month/Year

## Box No. IX CHECK LIST; LANGUAGE OF FILING

This international application contains:		This international application is accompanied by the following item(s) (mark the applicable check-boxes below and indicate in right column the number of each item):		Number of items
(a) in paper form, the following number of sheets:		1. <input checked="" type="checkbox"/> fee calculation sheet 2. <input type="checkbox"/> original separate power of attorney 3. <input type="checkbox"/> original general power of attorney 4. <input checked="" type="checkbox"/> copy of general power of attorney; reference number, if any: ..... 5. <input type="checkbox"/> statement explaining lack of signature 6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): ..... 7. <input type="checkbox"/> translation of international application into (language): ..... 8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material 9. <input type="checkbox"/> sequence listing in computer readable form (indicate type and number of carriers)		
request (including declaration sheets)	: 6			1
description (excluding sequence listing and/or tables related thereto)	: 84			
claims	: 8			
abstract	: 1			
drawings	: 5			3
<b>Sub-total number of sheets</b>	<b>: 104</b>			
sequence listing	:			
tables related thereto	:			
(for both, actual number of sheets if filed in paper form, whether or not also filed in computer readable form; see (c) below)	:			
<b>Total number of sheets</b>	<b>: 104</b>			
(b) <input type="checkbox"/> only in computer readable form (Section 801(a)(i))				
(i) <input type="checkbox"/> sequence listing				
(ii) <input type="checkbox"/> tables related thereto				
(c) <input type="checkbox"/> also in computer readable form (Section 801(a)(ii))				
(i) <input type="checkbox"/> sequence listing				
(ii) <input type="checkbox"/> tables related thereto				
Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the				
<input type="checkbox"/> sequence listing: .....				
<input type="checkbox"/> tables related thereto: .....				
(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)				
11. <input checked="" type="checkbox"/> other (specify): Transmittal Letter & Postal Card ..... 2				

Figure of the drawings which should accompany the abstract:	N/A	Language of filing of the international application:	English
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Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).			
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\_\_\_\_\_  
Jeffrey A. MICHAEL, Agent for Applicants

For receiving Office use only			
1. Date of actual receipt of the purported international application:		2. Drawings:	
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		<input type="checkbox"/> received: <input type="checkbox"/> not received:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):			
5. International Searching Authority (if two or more are competent): ISA /		6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid	

For International Bureau use only	
Date of receipt of the record copy by the International Bureau:	

# PCT

## GENERAL POWER OF ATTORNEY

*(for several international applications filed under the Patent Cooperation Treaty)*

(PCT Rule 90.5)

The undersigned person(s):

*(Family name followed by given name; for a full legal entity, full official designation. The address must include postal code and name of country.)*

DARPHARMA, INC.  
215 Cloister Court  
Chapel Hill, NC 27514  
US

hereby appoint(s) the following person as:

agent

common representative

Name and address

*(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

LAMMERT, Steven R.; BALL, Rebecca; COFFEY, William R.; STEIN, Arland T.; HARRISON, Nancy J.; CONARD, Richard D.; KULKARNI, Dilip A.; REZEK, Richard A.; QUICK, David B.; HUNT, Paul B.; MICHAEL, Jeffrey A.; ADDISON, Bradford G.; BAUER, Shawn D.; POWLICK, Jill T.; HENDERSON, Ronald S.; SWEENEY, James R., II; HAIGH, Christopher E.; BAILEY, Kevin D.; STEWART, Carli E.; GEIB, Helen; GIBBS, Barbara S.; PALAN, Perry; NEWMAN, Mark M.; KRINSKY, Richard P.; LAZARUS, Richard B.; GILLENWATER, Bobby B.; COOPER, Gregory S.; DONOVAN, Thomas J.; MARTIN, Alice O.; PETERS, Grant H.; HAMIL, Mark A.; ALLEN, Michael B.; and ALBERS, Dan P.; all of the law firm: BARNES & THORNBURG; 11 South Meridian Street; Indianapolis, IN 46204; US

to represent the undersigned before

all the competent International Authorities

the International Searching Authority only

the International Preliminary Examining Authority only

in connection with any and all international applications filed by the undersigned with the following Office

US

as receiving Office

and to make or receive payments on behalf of the undersigned.

Signature(s) (where there are several persons, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading this power):

Jeffrey SEGAL  
President and CEO

Date:

4/2/03

# PCT

## GENERAL POWER OF ATTORNEY

(for several international applications filed under the Patent Cooperation Treaty)

(PCT Rule 90.5)

The undersigned person(s):

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

MAILMAN, Richard Bernard  
2101 North Lakeshore Drive  
Chapel Hill, NC 27514  
US

hereby appoints (appoint) the following person as:  agent  common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

LAMBERT, Steven R., Reg. No. 27653; ADDISON, Bradford G., Reg. No. 41486; COFFEY, William R., Reg. No. 24023; CONARD, Richard D., Reg. No. 27321; STEIN, Arland T., Reg. No. 25062; HARRISON, Nancy J., Reg. No. 27083; KULKARNI, Dilip A., Reg. No. 27510; REZEK, Richard A., No. 30796; QUICK, David B., Reg. No. 31993; HUNT, Paul B., Reg. No. 37154; MICHAEL, Jeffrey A., Reg. No. 37394; BAUER, Shawn D., Reg. No. 41603; POWLICK, Jill T., Reg. No. 42088; HENDERSON, Ronald S., Reg. No. 43669; SWEENEY, James R. II, Reg. No. 45670; DuBOIS, Dustin S., Reg. No. 46233; HAIGH, Christopher E., Reg. No. 46377; BAILEY, Kevin D., Reg. No. 46531; BALL, Rebecca L., Reg. No. 46535; HUGHES, Dewayne A., Reg. No. 46783; PALAN, Perry, Reg. No. 26213; NEWMAN, Mark M., Reg. No. 31472; LAZARUS, Richard B., Reg. No. 48215; KRINSKY, Richard P., Reg. No. 47720; GILLENWATER, Bobby B., Reg. No. 31105; COOPER, Gregory S., Reg. No. 40965; DONOVAN, Thomas J., Reg. No. 33231; MARTIN, Alice O., Reg. No. 35601; PETERS, Grant H., Reg. No. 35977; HAMILL, Mark A., Reg. No. 37145; ALLEN, Michael B., Reg. No. 37582; and ALBERS, Daniel P., Reg. No. 44008; All Appointed Agents of the Address:

BARNES & THORNBURG, 11 South Meridian Street, Indianapolis, IN 46204, US  
to represent the undersigned before

all the competent International Authorities

the International Searching Authority only

the International Preliminary Examining Authority only

in connection with any and all international applications filed by the undersigned with the following Office

US

as receiving Office

and to make or receive payments on behalf of the undersigned.

Signatures of the applicant(s) (where there are several persons, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading this power):

  
Richard Bernard MAILMAN

Date: 25/01/02  
Day/ Month/ Year

# PCT

## GENERAL POWER OF ATTORNEY

(for several international applications filed under the Patent Cooperation Treaty)

(PCT Rule 90.5)

The undersigned person(s):

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

NICHOLS, David Earl  
4740 North 225 West  
West Lafayette, IN 47906  
US

hereby appoints (appoint) the following person as:  agent  common representative

### Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

LAMMERT, Steven R., Reg. No. 27653; ADDISON, Bradford G., Reg. No. 41486; COFFEY, William R., Reg. No. 24023; CONARD, Richard D., Reg. No. 27321; STEIN, Arland T., Reg. No. 25062; HARRISON, Nancy J., Reg. No. 27083; KULKARNI, Dilip A., Reg. No. 27510; REZEK, Richard A., No. 30796; QUICK, David B., Reg. No. 31993; HUNT, Paul B., Reg. No. 37154; MICHAEL, Jeffrey A., Reg. No. 37394; BAUER, Shawn D., Reg. No. 41603; POWLICK, Jill T., Reg. No. 42088; HENDERSON, Ronald S., Reg. No. 43669; SWEENEY, James R. II, Reg. No. 45670; DuBOIS, Dustin S., Reg. No. 46233; HAIGH, Christopher E., Reg. No. 46377; BAILEY, Kevin D., Reg. No. 46531; BALL, Rebecca L., Reg. No. 46535; HUGHES, Dewayne A., Reg. No. 46783; PALAN, Perry, Reg. No. 26213; NEWMAN, Mark M., Reg. No. 31472; LAZARUS, Richard B.; Reg. No. 48215; KRINSKY, Richard P., Reg. No. 47720; GILLENWATER, Bobby B., Reg. No. 31105; COOPER, Gregory S., Reg. No. 40965; DONOVAN, Thomas J., Reg. No. 33231; MARTIN, Alice O., Reg. No. 35601; PETERS, Grant H., Reg. No. 35977; HAMILL, Mark A., Reg. No. 37145; ALLEN, Michael B., Reg. No. 37582; and ALBERS, Daniel P., Reg. No. 44008; All Appointed Agents of the Address:  
BARNES & THORNBURG, 11 South Meridian Street, Indianapolis, IN 46204, US

to represent the undersigned before

all the competent International Authorities

the International Searching Authority only

the International Preliminary Examining Authority only

in connection with any and all international applications filed by the undersigned with the following Office

US

as receiving Office

and to make or receive payments on behalf of the undersigned.

Signatures of the applicant(s) (where there are several persons, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading this power):

  
\_\_\_\_\_  
David Earl NICHOLS

(29.01.02)

Date: 29 JAN 02  
Day/ Month/ Year

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